

1 AN ORDINANCE relating to county public officers and employees;  
2 prohibiting acts resulting in conflict of interest;  
3 establishing a code of ethics for King County  
officials and employees; and prescribing penalties.  
BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

4 Section 1. Declaration of Policy. High moral and  
5 and ethical standards among public officials and public employees  
6 are essential to gain and maintain the confidence of the public  
7 because such confidence is essential to the conduct of free  
8 government. They are agents of the people and hold their  
9 positions for the benefit of the people. The proper operation  
10 of democratic government requires of public officials and  
11 employees that they be independent and impartial when establishing  
12 policy and that their positions never be used for personal gain.  
13 A code of ethical conduct is necessary for the guidance of public  
14 officials where conflicts do occur as well as to prevent  
15 conflicts of interest.

16 Section 2. Fair and Equal Treatment.

17 a. Use of public property. No official or  
18 employee shall request or permit the use of county owned vehicles,  
19 equipment, materials, or property for personal convenience or  
20 profit, except when such services are available to the public  
21 generally or are provided as county policy for the use of such  
22 official or employee in the conduct of official business.

23 b. Obligations to citizens. No official or employee  
24 shall grant, nor shall any citizen attempt to obtain, any  
25 special consideration, treatment, or advantage beyond that which  
26 is available to every other citizen.

27 Section 3. Code of Ethics. The purpose of the code  
28 of ethics is to assist county officials and employees to  
29 establish guidelines to govern their own conduct. The code is  
30 also intended to help develop traditions of responsible public  
31 service. No official or employee shall engage in any act which is  
32 in conflict ~~of interest~~ with the performance of his official

1 duties. An official or employee shall be deemed to have a  
2 conflict of interest if he:

3 1. Receives or has any financial interest in any  
4 sale to or by the County of any service or property when such  
5 financial interest was received with the prior knowledge that the  
6 County intended to purchase such property or obtain such service;

7 2. Accepts or seeks for others, any service,  
8 information, or thing of value on more favorable terms than those  
9 granted to the public generally, from any person, firm or  
10 corporation, having dealings with the County;

11 3. Accepts any gift or favor from any person, firm  
12 or corporation having any dealings with the County if he knows or  
13 has reason to know that it was intended to obtain special  
14 consideration;

15 4. Influences the selection of, or the conduct of  
16 business with a corporation, person or firm, having business with  
17 the County if he personally or through household relatives shall  
18 have financial interest in or with said corporation, person, or  
19 firm;

20 5. Is an employee, officer, partner, director, or  
21 consultant of any corporation, firm or person having business with  
22 the County, unless he has disclosed such relationship as provided  
23 by this ordinance;

24 6. Engages in or accepts private employment or  
25 renders services for private industry when such employment or  
26 service is incompatible with the proper discharge of his official  
27 duties or would impair his independence of judgment or action in  
28 the performance of his official duties;

29 7. Appears in behalf of a private interest before any  
30 regulatory governmental agency, or represents a private interest  
31 in any action or proceeding against the interest of the County in  
32 any litigation to which the County is a party, unless he has a

1 personal interest and this personal interest has been disclosed  
2 to the regulatory governmental agency. A County councilman may  
3 appear before regulatory governmental agencies on behalf of con-  
4 stituents in the course of his duties as a representative of the  
5 electorate or in the performance of public or civic obligations.  
6 However, no official or employee shall accept a retainer or com-  
7 pensation that is contingent upon a specific action by a County  
8 agency;

9           8. Directly or indirectly possesses a substantial  
10 or controlling interest in any business entity which conducts  
11 business or contracts with the County, or in the sale of real  
12 estate, materials, supplies, or services to the County, without  
13 disclosing such interest as provided by this ordinance. An  
14 interest is not a substantial interest if such interest does not  
15 exceed one tenth of one percent of the outstanding securities of  
16 the business concern; or, if the interest is an unincorporated  
17 business concern, one percent of the net worth of such concern; or  
18 the financial interest of a corporation, person, or firm does not  
19 exceed five percent of the net worth of the employee and his  
20 household relatives;

21           9. As a County councilman has a financial or other  
22 private interest in any legislation, or other matters coming  
23 before the Council, and fails to disclose such an interest on the  
24 records of the County Council. This provision shall not apply if  
25 the County councilman disqualifies himself from voting by stating  
26 the nature and extent of such interest. Any other official or  
27 employee who has a financial or other private interest, and who  
28 participates in discussion with or gives an official opinion to the  
29 County Council and fails to disclose on the records of the  
30 County Council the nature and extent of such interest shall be  
31 deemed in violation of this ordinance.  
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1        Section 4. DISCLOSURE OF INCOME AND INVESTMENTS. Every elec-  
2        ted official, paid in whole or in part from County funds; members  
3        of the Personnel Board, the Board of Appeals, and the Environmental  
4        Development Commission; all "Salaried" persons appointed directly  
5        by the County Executive; all persons appointed by the County Admin-  
6        istrator which are subject to the approval of the County Executive;  
7        and all employees of the Council; such other public employees which  
8        may be provided for herein, on or before January 31 of each year,  
9        and all candidates for County elective office within five days after  
10       filing their declaration of candidacy; shall file with the Board of  
11       Ethics a written statement of:

- 12       1. All sources of income in excess of \$1,500. per year; and,
- 13       2. The name of any corporation, firm, or enterprise doing  
14       business within King County in which he has a direct financial in-  
15       terest in excess of \$1,500.; PROVIDED, that policies of insurance  
16       issued to himself or his spouse, accounts in banks, savings and loan  
17       associations or credit unions, are not to be considered financial  
18       interests; and,
- 19       3. Every office or directorship held by him or his spouse or  
20       any member of his household in any corporation, association, firm  
21       or enterprise, both profit and non-profit; and,
- 22       4. A list by legal description or popular address of all real  
23       property owned in King County, including options to buy if the prop-  
24       erty is valued in excess of \$1,500.; and,
- 25       5. With respect to attorneys or others practicing before reg-  
26       ulatory agencies during the preceding twelve month period, the name,  
27       the agency or agencies and the name of the firm, partnership or as-  
28       sociation in which he is a member, partner, or employee and the  
29       gross compensation received by the attorney and the firm, partner-  
30       ship or association respectively for such practice before such reg-  
31       ulatory agency.

32       The Board of Ethics shall adopt and promulgate rules and regula-  
      tions delineating such personnel other than those specifically enum-

1 erated in this ordinance employed by the County that shall be re-  
2 quired to complete and file statements in conformity with this ordin-  
3 ance. The statements of elected officials and candidates shall be  
4 public record. All other statements shall not be made public without  
5 the written approval of the Board of Ethics.

6 Section 5. PENALTIES. Any person willfully violating this  
7 ordinance shall be guilty of a misdemeanor and shall also be sub-  
8 ject to the civil penalties provided herein for the negligent vio-  
9 lation of this ordinance.

10 An employee of the County found guilty of a negligent violation  
11 of this ordinance shall be subject to civil penalties up to and in-  
12 cluding termination from employment and/or loss of pay not to ex-  
13 ceed one month's salary.

14 Any elected official found guilty of a negligent violation of  
15 this ordinance shall be subject to penalties as provided by RCW 42.  
16 12.010 and King County Charter Section 680 and shall be subject to  
17 a civil penalty of loss of pay not to exceed one month's salary. In  
18 addition to the sanctions for aiding, abetting, seeking or request-  
19 ing a violation of this ordinance, any person or organization, which  
20 willfully attempts to secure preferential treatment in its dealings  
21 with the County by offering any valuable gifts, whether in the form  
22 of services, loan, thing or promise, or any other form to any County  
23 official or employee, shall have its current contracts with the  
24 County canceled and shall not be able to bid on any other County  
25 contract for a period of two years.

26 Section 6. JURISDICTION. There is hereby created a Board of  
27 Ethics, composed of three members, one to be appointed by the County  
28 Executive, one to be appointed by two-thirds vote of the County  
29 Council and the third, who shall be chairman, to be appointed by the  
30 other two members. The terms of the Board members shall be three  
31 years. The first three members shall be appointed for one, two,  
32 and three year terms respectively. The chairman shall have a three

1 year term, the other terms are to be determined by lot. A member  
2 of the Board of Ethics may be removed for just cause by a two-  
3 thirds vote by the County Council, but not the County Executive,  
4 after written charges have been served on a member and a public  
5 hearing has been held by the County Council. The Board shall be  
6 advisory and shall meet as frequently as it deems necessary. A  
7 majority of the Board shall constitute a quorum. Meetings shall  
8 be open or closed to the public at the discretion of the Board.

9 Whenever requested by a County officer or employee or whenever  
10 it deems it in the public interest, the Board shall render advisory  
11 opinions, in writing, concerning questions of ethics, conflicts of  
12 interest, and the applicability of this ordinance. A written copy  
13 of the Board's opinion shall be delivered to the person requesting  
14 the opinion. The Board may publish their advisory opinions, but  
15 only with such omissions as may be necessary or proper to protect  
16 the confidence and privacy of County officers and employees.

17 A Board on its own motion, may investigate any suspected or  
18 alleged violation of this ordinance. The Board shall investigate  
19 all written complaints with regard to violation of this ordinance.  
20 The Board may administer oath in connection with any matter under  
21 inquiry. Any witness in a proceeding before the Board of Ethics,  
22 shall have the right to be represented by counsel.

23 The Board shall render a written decision when it has concluded  
24 its investigation. Copies of the opinion may be delivered to the  
25 appropriate county officers or released to the public at the dis-  
26 cretion of the Board. A copy of the opinion shall be presented to  
27 the person or organization which was the subject of the investiga-  
28 tion. No opinion, after an investigation, may be issued unless the  
29 person complained against has had an opportunity to have a fair  
30 hearing. Any person being investigated may demand a public hearing.

31 Section 7. EFFECTIVE DATE. Except for Section 6, the pro-  
32 visions of this ordinance shall take effect January 1, 1970. Section

